

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 AVENUE OF THE AMERICAS, NEW YORK, NEW YORK 10036-8403

TEL 212 382 0700 FAX 212 382 0888 FAX 212 398 0681

email@ostrolenk.com

PARTNERSSAMUEL H. WEINER
ROBERT C. FABER
MAX MOSKOWITZ
JAMES A. FINDER
WILLIAM O. GRAY, III
LOUIS C. DUMICH
CHARLES F. LAPOLLADOUGLAS A. MIRO
ALFRED R. FABRICANT
MARC LIBBERSTEIN**ASSOCIATES**CHARLES C. ACHKAR, Ph.D.
PETER S. SLOANE
MARY G. FONTENOT
JOEL J. FELBER**
BRENDAN J. KENNEDY**
KOUROSH SALEHI**
LAWRENCE C. DRUCKERDOUGLAS Q. HAHN
J. ANTHONY LOVENSHEIMER***
CHRISTOPHER PARADIES, Ph.D.
BRYAN N. DEMATTEO**OF COUNSEL**MARTIN PFEFFER
LEON ZITVER*
LAWRENCE A. HOFFMAN
MARTIN J. BERAN
PAUL GRANDINETTI*
JOSEPH J. ZITO*
KLAUS P. STOPFEL**WASHINGTON OFFICE**1725 K STREET, N.W.
WASHINGTON, D.C. 20006
TEL 202 457 7785
FAX 202 429 8919*DC BAR
**CONNECTICUT BAR
***OHIO BAR**FACSIMILE TRANSMITTAL SHEET**DATE: May 16, 2003NUMBER OF PAGES, INCLUDING COVER: 19

TO:

NAME/COMPANY	FACSIMILE NO.	
Examiner Susanna M. Diaz United States Patent and Trademark Office Group Art Unit: 3623	(703) 305-7687	<input type="checkbox"/> SUCCESSFULLY FAXED
		<input type="checkbox"/> SUCCESSFULLY FAXED
		<input type="checkbox"/> SUCCESSFULLY FAXED

FROM: James A. Finder, Esq.OFGS FILE NO.: P/3748-4 RETURN TO: Carol Kupferberg**IF YOU DID NOT RECEIVE ALL THE PAGES, PLEASE PHONE (212) 382-0700 AS SOON AS POSSIBLE.**

This message is intended only for the use of the individual(s) to which it is addressed, and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not an intended recipient, or the employee or agent responsible for delivering the message to an intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address by mail. Thank you.

MESSAGE:

Re: U.S. Patent Application No. 09/758,509
SUPPLY CHAIN ARCHITECTURE
Applicant: Derek LIDOW

OFFICIAL**FAX RECEIVED**

May 19, 2003 Group 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Derek LIDOW

Date: May 16, 2003

Serial No.: 09/758,509

Group Art Unit: 3623

Filed: January 11, 2001

Examiner: Susanna M. Diaz

For: SUPPLY CHAIN ARCHITECTURE

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BY FACSIMILE - (703) 305-7687

SUBMISSION IN ACCORDANCE WITH M.P.E.P. §713.04

Sir:

In accordance with M.P.E.P. §713.04, applicant submits the following:

- (A) A Brief Description of Exhibit
No exhibits or demonstrations were shown.
- (B) Identification of Claims
Independent claims 1 and 70 were discussed.
- (C) Identification of Prior Art
Bellini was discussed.

(D) Identification of Proposed Substantive Amendments
Amendments to claim 1 and claim 70 were proposed to clarify the invention. Applicant's proposed amended claim 1 provides additional structure, including the supply chain server as electronically receiving customer demands, electronically analyzing the demands and electronically sending the demands to at least one supplier.

With respect to the Office Action in which the Examiner objected to the term, "valid," the applicant's proposed amendment provides details relating to the step of analyzing received customer forecasted demands which determine whether the demands are valid.

(E) Brief Identification of Principal Arguments

The applicant's attorneys submitted that claim 1, as filed, satisfies the requirement of 35 USC 101. Notwithstanding the argument, applicant's proposed amended claim 1 provides additional structure, including the supply chain server that electronically receives customer demands, electronically analyzes the demands and electronically sends the demands to at least one supplier.

With respect to the Examiner's rejections under 35 USC 102 and 103, the applicant's attorneys distinguished Bellini from the present invention.

(F) Indication of Pertinent Matters

A brief discussion of the Examiner's argument in the Office Action that sets forth a requirement for subject matter that promotes the technological arts.

(G) Outcome of the Interview

The Examiner requested a distinction be made between the supply chain server, the customer and the supplier. Accordingly, an additional amendment to the claims was proposed, and the Examiner agreed that the proposed claim amendments would overcome the rejections under 35 USC 101, 112 2d paragraph and the present art rejections. The Examiner also indicated another search was likely to be conducted.

(H) A Paper Copy of the Interview Via Internet E-mail

Not applicable.

I hereby certify that this correspondence is being
facsimile transmitted to Mail Stop AF, Commissioner
for Patents, on: May 16, 2003:

James A. Finder

Name of applicant, assignee or
Registered Representative

Signature

May 16, 2003

Date of Signature

Respectfully submitted,

James A. Finder

Registration No.: 30,173

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

JAF:JJF:ck